

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TAMMY and MONTY KEA,

Plaintiffs,

v.

**MERIDIAN SECURITY INSURANCE
COMPANY and ROSS FREEMAN,**

Defendants.

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CASE NO. 3:19-cv-02017-G

**DEFENDANT MERIDIAN SECURITY INSURANCE COMPANY’S RULE 12(b)
MOTIONS TO DISMISS, ALTERNATIVE MOTION TO SEVER AND ABATE, AND
PLEA IN ABATEMENT**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Defendants Meridian Security Insurance Company (“Meridian”), filing this Motion to Dismiss pursuant to FED. R. CIV. P. 12(b), and alternative Motion to Sever and Abate and Plea in Abatement. This Motion addresses all extra-contractual claims asserted against Meridian. A Brief in Support of this Motion, outlining the specific grounds therefor, is filed contemporaneously herewith.

WHEREFORE, Defendants pray the Court enter an order (1) dismissing all extra-contractual claims against Meridian; and (2) in the alternative to dismissal of extra-contractual claims as to Meridian, an order severing and abating those claims and an order abating this action.

Date: August 30, 2019

Respectfully submitted,

/s/ Adam C. Gallegos

Adam C. Gallegos (attorney in charge)

Texas Bar No. 24036614

Kirk D. Willis

Texas Bar No. 21648500

THE WILLIS LAW GROUP, PLLC

1985 Forest Lane

Garland, Texas 75042

Telephone: (214) 736-9433

Facsimile: (214) 736-9994

service@thewillislawgroup.com

**ATTORNEYS FOR DEFENDANT
MERIDIAN SECURITY INSURANCE
COMPANY**

CERTIFICATE OF CONFERENCE

On August 30, 2019, the undersigned counsel conferred by telephone with Tara Peveto, counsel for Plaintiff, on Defendants' requests to sever and abate. Ms. Peveto advised she was opposed to the requests, which are now presented to the Court for a ruling.

/s/ Adam C. Gallegos

Adam C. Gallegos

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule 5.1(d) on the 30th day of August, 2019.

Chad T. Wilson
Tara Peveto
Chad T. Wilson Law Firm
455 East Medical Center Blvd., Ste. 555
Webster, Texas 77598
eservice@cwilsonlaw.com
cwilson@cwilsonlaw.com
tpeveto@cwilsonlaw.com

David P. Wilson
Provost Umphrey Law Firm LLP
490 Park Street, Suite 100
Beaumont, Texas 77701
dwilson@pulf.com

/s/ Adam C. Gallegos

Adam C. Gallegos